

Framingham Planning Board
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PLANNING BOARD MEMBERS
CHRISTINE LONG, CHAIR
STEPHANIE MERCANDETTI, VICE CHAIR
LEWIS COLTEN, CLERK
THOMAS F. MAHONEY
VICTOR A. ORTIZ

PLANNING BOARD STAFF:
AMANDA L. LOOMIS, PLANNING BOARD ADMINISTRATOR
ALEXANDER C. MELLO, ASSOCIATE PROGRAM PLANNER
STEPHANIE D. MARRAZZO, CLERICAL ASSISTANT

Planning Board Meeting Minutes
Thursday, February 4, 2016
FINAL

Planning Board members present on February 4, 2016: Christine Long, Chair, Stephanie Mercandetti, Vice-chair, Lewis Colten, Clerk, Thomas Mahoney, and Victor Ortiz. Also present were Amanda Loomis, Planning Board Administrator, and Stephanie Marrazzo, Clerical Assistant.

The Planning Board meeting was held in Ablondi Room of the Memorial Building. Christine Long, Chair, called the Planning Board meeting to order at 7:00 p.m. on February 4, 2016 and read the agenda into the record.

- I. 7:00 PM Public Hearing to consider the applications of BRE DDR Shopper's World, LLC for a Special Permit for Restaurant Use, Special Permit for Indoor Amusement Use, Special Permit for Land Disturbance, a modification to a previously approved Decision For a Special Permit with Site Plan Review Approval dated January 10, 1994, a modification to a previously approved Decision For a Special Permit with Site Plan Review Approval and Special Permit for Off Street Parking Plan Approval dated August 2, 1994, and a modification to a Sign Approval in conjunction with a Special Permit Site Plan Application dated August 10, 1994 to construct an approximately 21,000 square foot bowling facility and a 9,500 square foot restaurant at 19 Flutie Pass.

Christine Long, Chair, continued the public hearing for the project located at 19 Flutie Pass without testimony to February 22, 2016 at 7:00 p.m.

- II. 7:00 PM Public Hearing held to consider the application of Normandy Real Estate Partners for an extension of time to the previously approved Planning Board Decisions for Site Plan Review and Special Permit for Proximity to Principal Use, Reduction in Loading Requirement, Reduction in Landscape Buffer, increase in Floor Area Ratio, and Land Disturbance at the property located at 15 and 16 Pleasant Street Connector and 86 New York Avenue Rear.

Present for the Applicant was Attorney Kathy Garrahan, Bowditch & Dewey, LLP, Jamie Nicholson & Paul Teti, Normandy Real Estate Partners.

Attorney Garrahan provided a brief history of the property, the project, and the previous decision. Attorney Garrahan provided an explanation for the request of an extension of time. Attorney Garrahan, further stated that it was unrealistic to start construction by the March 16, 2016 expiration date without a tenant. Attorney Garrahan further explained that despite the rigorous marketing of the property by the applicant,

Normandy Real Estate has been unable to identify a tenant to lease the property. Attorney Garrahan requested that the Board consider these reasons to be good cause for the requested extension of time.

Christine Long, Chair, requested that the Administrator provide an overview of the project.

Ms. Loomis provided a brief update to the Planning Board regarding the working relationship between the Town and the applicant. Ms. Loomis presented a draft decision for the Planning Board to consider.

Ms. Long asked for Planning Board member comments:

- Thomas Mahoney stated his understanding of the market and the applicant's difficulty to lease the building due to the economy. Mr. Mahoney stated his support for the requested two year extension of time.
- Victor Ortiz stated that he did not have comments at this time.
- Stephanie Mercandetti provided the applicant with several State resources available for marketing the property. Ms. Mercandetti reference the Prospect Bulletin list through the Mass Alliance for Economic Development as an option for the Applicant to consider. Ms. Mercandetti concurred with Mr. Mahoney's comments regarding the requested extension of time.
- Lewis Colten questioned if the applicant saw any foreseeable changes and/or modifications to the approved site plan as they move forward. Mr. Teti stated that the only changes to the approved building would be internal, allowing tenants to put their own stamp on it.
- Ms. Long stated her support for the requested extension of time noting the effect that the economic downturn has had on business development. Ms. Long further stated her appreciation for the new signage and advertising efforts that the applicant has made.

Stephanie Mercandetti moved that the Planning Board finds that the Application has demonstrated Good Cause for the requested extension of time. Thomas Mahoney seconded said motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED

Stephanie Mercandetti moved that the Planning Board grant the requested extension of time, to extend the expiration date of the 2014 Decision for the Project for an additional two year term, as amended in the Decision this evening. Thomas Mahoney seconded the motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED

III. 7:00 PM Public Hearing to consider amending the Framingham Zoning By-Law and Framingham Zoning Map at the February 23, 2016 Winter Special Town Meeting as follows.

- **Article: Amend the Framingham Zoning By-law related to the establishment a Corporate Mixed-use By-Law** To see if Town Meeting will vote to amend the Framingham Zoning By-Law by adding two new sections, Section II.A.9.a Corporate Mixed-use District I (CMU I) and II.A.9.b. Corporate Mixed-use District II (CMU II); amend the Table of Uses related to include the new CMU I and the CMU II Districts in Section II.B, add a new Section II.J Corporate Mixed-use District, and amend the Dimensional Regulations by adding the new CMU I and CMU II into Section IV.E.
- **Article: Amend the Framingham Zoning Map – establish a new Corporate Mixed-use I and Corporate Mixed-use II Zoning District** to see if Town Meeting will vote to amend the Framingham Zoning Map by creating a new Corporate Mixed-use I and Corporate Mixed-use II Zoning District.

Christine Long, Chair requested that Amanda Loomis present the Corporate Mixed-use Zoning articles to the Planning Board.

Ms. Loomis presented a detailed overview of the Corporate Mixed-use Zoning By-Law and the zoning map amendments. Ms. Loomis further presented several supporting documents provided in the paper packets presented at tonight's meeting.

Ms. Long asked for Planning Board member comment:

- Thomas Mahoney stated that the Zoning Articles have been well prepared and are very comprehensive as well as clearly written.
- Stephanie Mercandetti stated that she appreciates the revisions, but felt there is still need for additional research or analysis. Ms. Mercandetti asked Ms. Loomis to comment on the residential piece, specifically questioning the how the 15 units per acre were determined. Ms. Loomis responded to Ms. Mercandetti's question, providing a review of the research that had been conducted.

Ms. Mercandetti further questioned Ms. Loomis as to whether there was an opportunity for any other type of densities such as a town house development. Ms. Loomis briefly discussed the density cap provided in the By-Law but also the rationale for the allowance of flexibility in the types of buildings and units. Ms. Mercandetti asked if there is a similar density piece for CMU II. Ms. Loomis responded that the proposed By-Law does not put a density cap on the number of residential units in the CMU II, but projects are required to have the first floor of a mixed-use building as commercial.

- Lewis Colten stated his interest in seeing taller buildings. Mr. Colten specifically stated that the By-Law should allow for taller construction and hopes to see the height limit change in future editions.
- Ms. Long provided an overview of the February 3, 2016 Standing Committee on Planning and Zoning meeting, specifically stating that representatives from both National Development and Staples were present and provided a presentation. Ms. Long went on to explain the challenges within the existing zoning and the topography of the land in the 9/90 Corporate Center.

Ms. Long further stated that the two Corporate Mixed-use Zoning Districts are very different and compared this type of zoning development to the UMASS Amherst concept of "work live, play." Ms. Long stated she believes it's a good By-Law.

Ms. Long asked for public comment:

- Kevin Crotty, Precinct 7 – Stated his concerns regarding the public infrastructure and the demands projects within the Corporate Mixed-use Districts would have. Mr. Crotty further stated that he feels the Town's infrastructure is at its saturation point.
- Kathy Vassar, Precinct 1 – Provided an update on the status of the Standing Committee on Planning and Zoning (SCPZ). Ms. Vassar stated that the SCPZ had voted at their January meeting 9-0-0 in favor to recommend that the Planning Board open the public hearing and then withdraw these articles from the February 23, 2016, Winter Special Town Meeting. Ms. Vassar further stated that as the SCPZ felt the Articles were not yet ready for Town Meeting because of too many outstanding issues and a lack of information. However, she reported that the SCPZ will be meeting again to continue reviewing the articles.
- Kathy McCarthy, Precinct 10 – Stated that the Corporate Mixed-use District was not comparable to a university campus. Ms. McCarthy further stated her concern regarding the traffic within the area. Mrs. McCarthy recommended that both articles be delayed until they were well vetted.

Ms. Long asked the Planning Board if there were any additional comments.

Mr. Ortiz requested clarification regarding the 400 unit density cap. Ms. Loomis responded to Mr. Ortiz's question, stating that any increase over the 400 unit density cap would require an applicant to seek approval from Town Meeting.

Stephanie Mercandetti requested information regarding the deadline for withdrawing articles. Ms. Loomis stated that an article can be withdrawn at any point prior to Town Meeting.

Ms. Loomis mentioned that there will be an Open House for the Corporate Mixed-use District on February 11, 2016 in the Ablondi room from 5:30-7:30 p.m.

Ms. Long continued the public hearing to Feb 11, 2016 at 7:30 p.m.

IV. 7:00 PM to consider amending the Framingham Zoning By-Law at the February 23, 2016 Winter Special Town Meeting as follows.

- **Article: Amend the Framingham Zoning By-law related to the Modification of an approved permit and plan** to see if Town Meeting will vote to amend the Framingham Zoning By-Law by deleting Section II.I.7 and adding two new Sections, Section VI.E.6 Modification to an approved Special Permit and Section VI.F.9 Modification to an approved Site Plan Review Permit.

Christine Long, Chair, continued the public hearing for the Amendment to the Framingham Zoning By-law related to the Modification of an approved permit and plan without testimony to February 11, 2016 7:30 p.m.

V. Approval Not Required – 488 Winter Street and 20 Winter Park Road

Christine Long, Chair, continued the review of the Plan of Land located at 488 Winter Street and 420 Park Rd to February 11, 2016 at 7:30 p.m.

VI. Any Other Business

- **Request for Occupancy – Chick-fil-A (1 Worcester Road)**
Ms. Loomis provided an update regarding the Chick-fil-A project. Ms. Loomis stated that the applicant has provided the Town with the Landscape Performance Bond and has provided the As-built plan for the project. Ms. Loomis further presented her findings regarding the trenches within Cochituate Road. Ms. Loomis stated that the applicant is looking for a 30 day temporary occupancy permit and would then be looking for a final occupancy within 30 days.

Ms. Long asked for Planning Board member comments:

Stephanie Mercandetti asked if the temporary occupancy permit would have an expiration date. Ms. Loomis stated that the temporary would only be for 30 days.

Stephanie Mercandetti moved that the Planning Board sign-off on the temporary occupancy permit for Chick-fil-A (1 Worcester Road) and to further grant authorization to the Planning Board Administrator to sign-off on the final occupancy permit once the remaining conditions are met. Lewis Colten seconded the motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED

- **Request for Occupancy – New Christa McAuliffe Library (747 Water Street)**

Ms. Loomis provided a brief overview of the new Christa McAuliffe Library project. Ms. Loomis stated that several items needed to be complete, and are on the punch list for completion.

Stephanie Mercandetti moved that the Planning Board grant the Planning Board Administrator the authorization to sign-off on the final occupancy permit for new Christa McAuliffe Library located at 747 Water Street. Thomas Mahoney seconded the motion. The Planning Board voted in favor of the motion 5-0-0. MOTION PASSED

VII. Approval of Minutes - January 21, 2016

Christine Long, Chair, asked for any revisions to the minutes of January 21, 2016. Hearing none, Ms. Long, Chair, stated that the Planning Board meeting minutes of January 21, 2016 are approved as presented.

VIII. Administrator's Report

Ms. Loomis stated that she is working with the Community Economic Development Department and the Department of Public Works to prepare the Town's Bicycle and Pedestrian Plan. Ms. Loomis stated the Plan's importance for State funding sources.

Ms. Loomis stated that Annual Town meeting was fast approaching and that the Planning Board would have to start preparing for it.

IX. Member Reports

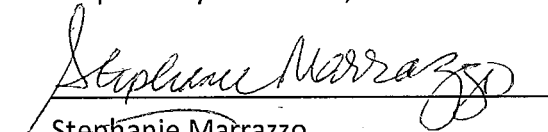
Victor Ortiz mentioned that on March 5, 2016 that he will be receiving an achievement award for umpiring for 40 years. The award gala ceremony will be held at the Double Tree Hotel and wanted to know if any Planning Board members were interested in attending the gala so that he can reserve tickets.

X. Adjournment

Stephanie Mercandetti moved that the Planning Board adjourn. Victor Ortiz seconded the motion. The Planning Board voted in favor of the motion 4-1-0. MOTION PASSED (Lewis Colten was in opposition)

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,


Stephanie Marrazzo,
Clerical Assistant


Christine Long, Chair

****THESE MINUTES WERE APPROVED AT THE PLANNING BOARD MEETING OF FEBRUARY 11, 2016**